

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OMAR (AKA NAFTALI) TRIPLETT,

Petitioner,

-against-

P. REARDON,

Respondent.

1:20-CV-1064 (CM)

ORDER

COLLEEN McMAHON, Chief United States District Judge:

By order dated March 23, 2020, the Court directed Petitioner to show cause by declaration, within sixty days, why the Court should not deny his petition for a writ of *habeas corpus* as time-barred. On May 26, 2020, the Court received from Petitioner a request for an extension of time to comply with that order. (ECF 9.) The Court grants Petitioner a 30-day extension of time to comply with the Court's March 23, 2020 order. Petitioner must submit his declaration within 30 days of the date of this order.

If Petitioner fails to comply with the extended deadline, and cannot show good cause to excuse such failure, the Court will deny the petition as time-barred. No answer shall be required at this time.<sup>1</sup>

Because Petitioner has not at this time made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. 28 U.S.C. § 2253.

The Court directs the Clerk of Court to mail a copy of this order to Petitioner and note service on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an

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<sup>1</sup> The Court will not rule on Petitioner's application for the Court to appoint counsel (ECF 2) until after Petitioner files a declaration in compliance with the March 23, 2020 order.

appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: May 28, 2020  
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is positioned above a horizontal line.

COLLEEN McMAHON  
Chief United States District Judge